

**MINUTES**  
**SANDY CITY COUNCIL MEETING**  
Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**July 10, 2007**

Meeting was commenced at **7:05 p.m.**

**PRESENT:**

**Council Members:** Chairman Bryant Anderson, Vice Chairman Chris McCandless, Scott Cowdell, Steve Fairbanks, Linda Martinez Saville, Stephen Smith, and Dennis Tenney

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Planning Director Jim McNulty; Public Utilities Director Shane Pace; Public Works Director Rick Smith; Economic Development Director Randy Sant; Council Office Director Phil Glenn; Council Office Manager Pam Lehman

**ABSENT/EXCUSED:**

**Mayor Tom Dolan** [Personal Business]

**Scott Cowdell** [Personal Business]

**1. OPENING REMARKS/PRAYER/PLEDGE:**

The Prayer was offered by **Boy Scout Jeff Gledhill of Troop #374**, and the Pledge was led by **Taylor Larsen**, also of **Troop #374**.

**2. CITIZEN(S) COMMENTS:**

a. There were no Citizen Comments.

**PUBLIC HEARING(S):**

**3. Lauren Gardens Rezoning**

Public Hearing to consider a request submitted by Brett Hansen, of L2 Holdings, to rezone approximately 2.73 acres from the R-1-40 A "Residential District", to the R-1-10 "Residential District". The rezoning would help facilitate the development of a proposed 8-lot subdivision.

The property is located at approximately 576 E. 11000 S.

Discussion: Planning Manager Jim McNulty reported that Brett Hansen, of L2 Holdings, LLC., is requesting to **rezone approximately 2.73 acres from the R-1-40A "Residential District" to the R-1-10 "Residential District"**. The property abuts the Farnsworth Farms, Phase I project which was rezoned to R-1-10 in January of 2005 (Farnsworth Farms #1 Subdivision, 33-lots). The property also abuts the Farnsworth Farms, Phase II project which was also rezoned to R-1-10 in June of 2006 (Farnsworth Farms #2 Subdivision, 10-lots). The rezoning would facilitate the development of a proposed 8-lot subdivision. A neighborhood meeting was not conducted for the project. However, City staff has been in contact with the neighborhood coordinator regarding the project. It has been determined that the project is a good use of property and will connect the residential neighborhoods (east and west) together. Please **see concept plan** included within your packet.

The subject property is generally flat and adjacent to an R-1-10 residential subdivision to the south and east (Farnsworth Farms #1 & #2 Subdivisions), with 11000 South Street to the north. To the west there is an existing R-1-10 residential subdivision.

The property is just northeast of the original Farnsworth Farm Subdivision. **On October 24, 1995, the City Council adopted Ordinance #95-33**, which placed an R-1-10 and R-1-20 "Residential District" zoning on properties within the general vicinity of this proposal. This rezoning included a total of 19.93 acres of property.

Lots adjacent to 11000 South were required to have a minimum lot size of 20,000 square feet. Lots on the interior portion of the site adjacent to this proposal were required to have a minimum lot size of 10,000 square feet. On **January 12, 2005, the City Council adopted Ordinance #05-04**, which placed an R-1-10 "Residential District" zoning on the property immediately south of this proposal. This rezoning included a total of 12.95 acres. Also, on **June 12, 2006, the City Council adopted Ordinance #06-16** which placed an R-1-10 "Residential District" zoning on the property immediately east of this proposal. The applicant's request is in harmony with the adjacent residential neighborhood.

## ANALYSIS

The applicant is requesting that the property be rezoned to help facilitate the development of a 8-lot subdivision. The subject property is vacant with the exception of one existing home with frontage along 11000 South. It is proposed to rezone this parcel to the R-1-15 "Residential District" to be in harmony with previous rezonings in the immediate area. The applicant will submit a separate application for this rezoning in the near future. Adjacent property to the south and west was rezoned in 1995 and 2005 (Farnsworth Rezoning - Ordinance #95-33, Farnsworth Farms Rezonings - Ordinance #05-04 & Ordinance #06-16) to allow for R-1-10 "Residential District" and R-1-20 "Residential District" development. As a result, the Orchard Farms Subdivision, Phases #1 thru #3 have been developed, and the Farnsworth Farms, Phases I & II projects are currently under construction. This proposal would be an extension of those projects.

The Crescent Community's Goals and Policies indicate the following:

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|------------------|---|
| <i>Goal:</i>     | <i>1. Honor existing rural atmosphere and natural resources.</i>          |
| <i>Policies:</i> | <i>b. Encourage lots of one/half acre or more in existing rural area.</i> |
|                  | <i>c. Recommend the adopting of a R-1-10 lot size as a minimum.</i>       |

The City's General Plan indicates the following:

- |                  |   |
|------------------|---|
| <i>Goal:</i>     | <i>To design neighborhoods to facilitate neighborhood identity and to preserve the character of the Neighborhoods once established.</i>                       |
| <i>Policies:</i> | <i>Recognize that economics alone is not sufficient reason to alter established neighborhoods. Human and environmental impacts also should be recognized.</i> |
|                  | <i>Require proposed zoning changes to be in harmony with established neighborhoods.</i>   |

The residential identity of the Crescent Community is rural in nature or "country", with some smaller lot developments (Orchard Farms Subdivision to the southwest is R-1-10, Farnsworth Farms Subdivisions to the south and east are also R-1-10). The proposed rezoning and subdivision conforms with the Crescent "Backbone Study" and would not compromise this rural identity. Staff is comfortable with the proposed rezoning and subdivision of the subject property.

Staff does have a concern related to the property just to the north of this proposal. Access needs to be provided along the north of the subject property, and west of the adjacent property to allow for a future connection to 11000 South. This will allow for better ingress/egress in the area. A **copy of a conceptual layout** for the area has been included within your packet. The red lines indicate that applicant's proposal at this time. The yellow lines include the future Phase II area of the project.

Consideration regarding any development on this property or in this area should also take into account the following issues as part of the subdivision review process:

- Access and public street requirements
- Providing access to adjacent properties for future development
- Environmental concerns (irrigation, drainage, etc.)

## STAFF RECOMMENDATION

Staff and the Planning Commission recommends that the subject property be rezoned from the R-1-40A "Residential District" to the R-1-10 "Residential District" based upon the following findings:

- a. The proposed rezoning is in harmony with the Sandy City General Plan and the Crescent Community Goals and Policies.
- b. The R-1-10 "Residential District" would be consistent with the zoning approved for the Orchard Farms Subdivisions, Phases #1 thru #3 and the Farnsworth Farms, Phases I & II projects in the immediate vicinity.
- c. The R-1-10 "Residential District" would not jeopardize the rural/country atmosphere in the area (11,000 square foot average lot size).
- d. Staff feels that no matter what zoning this parcel is given, it must take into account possible future development to the north.
- e. The proposed rezoning conforms with the Crescent "Backbone Study."

**Developer Brent Hansen**, 512 East 11000 South, reported that the Planning Commission held a public hearing on the northern parcel of the subject property, and would be forwarding a favorable recommendation to the City Council to rezone the parcel to the R-1-15 Zone.

**Chairman Anderson** opened then closed the Public Hearing, as there were no comments.

**Steve Smith** asked Mr. McNulty why the R-1-10 Zone was recommended for the property instead of an R-1-15 Zone.

**Jim McNulty** stated that the R-1-10 Zone was implemented in 1990 when the Farnsworth and Orchard Farms properties were rezoned. The R-1-10 Zone is used for smaller interior parcels, and the R-1-15 and R-1-20 Zones are for larger lots abutting 11000 South. The R-1-10 Zone is in compliance with existing zones in the area.

**Bryant Anderson** asked Mr. McNulty to brief the Council on the various zones surrounding the proposed development.

**Jim McNulty** reported that the Farnsworth Farms Phases 1&2, located southeast of the proposed development, are zoned R-1-10. An older existing lot abutting 11000 South is zoned R-1-20. The Orchard Farms Subdivision is zoned R-1-20, and the interior lots on each of these subdivisions are zoned R-1-10.

**Bryant Anderson** asked if there has been any concerns regarding setbacks in the R-1-10 Zone.

**Jim McNulty** stated that the R-1-10 Zone is standard in residential housing, with average lots sizes between 10-12,000 square feet. Mr. McNulty noted that no issues have been raised with setbacks in the R-1-10 Zone

**Chris McCandless** asked what the average lot size was in the Farnsworth Farms subdivision.

**Jim McNulty** reported that the Farnsworth Farms subdivision, which is zoned R-1-10, has average lot sizes between 11 and 12,000 square feet.

**Chris McCandless** questioned whether a condition should be added to the R-1-10 Zone requiring the

**Wally Miller** cautioned the Council that the creation of any new conditions should be discussed carefully before being put into place.

**Chris McCandless** , based on Mr. Miller's advice, withdrew his request.

**Motion:** **Dennis Tenney** made the motion to have documents bought back to adopt the Lauren Gardens Rezone, rezoning approximately 2.73 acres from the R-1-40 A "Residential District", to the R-1-10 "Residential District" to facilitate the development of a proposed 8-lot subdivision.

**Second:** **Linda Martinez Saville**

**Vote:** **Tenney- Yes, Saville- Yes, Smith – Yes, McCandless- Yes, Fairbanks- Yes, Cowdell- Absent, Anderson- Yes**

**Motion Approved: 6 in favor –1 absent**

**COUNCIL ITEMS(S):**

**4. Interlocal Agreement**

**Resolution #07-36 C** – authorizing the execution of an Interlocal Cooperation Agreement between UDOT and Sandy City for corridor preservation along the SR-209 corridor within Sandy City between 700 East and 2000 East.

**Discussion:** **Chris McCandless** asked if UDOT had notified the property owners listed in the Interlocal Agreement.

**Rick Smith** reported that UDOT purchased the section of property along State Street as part of the 90<sup>th</sup> South acquisition, and would install accesses into all three of these properties.

**Motion:** **Dennis Tenney** made the motion to adopt **Resolution # 07-36 C**, authorizing the execution of an Interlocal Cooperation Agreement between UDOT and Sandy City for corridor preservation along the SR-209 corridor within Sandy City between 700 East and 2000 East.

**Second:** **Linda Martinez Saville**

**Vote:** **Tenney- Yes, Saville- Yes, Smith - Yes, McCandless- Yes, Smith – Yes, Fairbanks - Yes, Cowdell – Absent, Anderson – Yes.**

**Motion Approved: 6 in favor – 1 absent**

**Steve Smith** asked the Administration to contact UDOT regarding the S-curve heading eastbound on 94<sup>th</sup> South connecting onto the Ski Connect Road. Since the eastbound access has been closed, a fair amount of new skid marks have appeared from vehicles traveling too fast and rounding the curve to stop in time for the light.

**Rick Smith** reported that City officials held a meeting with UDOT on this very issue, and that UDOT is in the process of redesigning the road with a wider turning radius for the intersection.

**Steve Smith** also requested that additional signage be added advising traffic that eastbound travel is now accessible from the Ski Connect Road.

**5. Funds Transfer: General Fund [\$10,000 School District Feasibility Study]  
**Resolution #07-37 C** – transferring funds within the General Fund.**

**Motion:** **Chris McCandless** made the motion to adopt **Resolution #07-37 C**, transferring funds within the General Fund of \$10,000 for the School District Feasibility Study.

**Second:** **Linda Martinez Saville**

**Vote:** **McCandless- Yes, Saville- Yes, Fairbanks- Yes, Smith- Yes, Tenney- Yes, Cowdell – Absent, Anderson – Yes.**

**Motion Approved: 6 in favor- 1 absent**

**MINUTES:**

6. Approving the **May 29, 2007** City Council Meeting Minutes.

**Motion:** **Dennis Tenney** made the motion to approve the **May 29, 2007** City Council Meeting Minutes as amended.

**Second:** **Chris McCandless**

**Vote:** **The Council voted in the affirmative to the motion.**

**All in Favor.**

7. **MAYOR'S REPORT**

- a. **No report was given.**

8. **CAO'S REPORT**

- a. **CAO Byron Jorgenson** presented the Departmental Briefs to the Council. He reported that the July 4<sup>th</sup> festivities and parade were very successful. He also reported that an errant firework struck one of the windows in the Worker's Compensation Buildings. A member from the Fire Department was stationed on the roof of the building, and was able to call for immediate assistance resulting in minor damage to the structure.

9. **COUNCIL OFFICE DIRECTOR'S REPORT**

- a. **Phil Glenn** presented a copy of the updated monthly calendar, along with a schedule of events for the Sandy Amphitheater. Reminders, along with instructions were also presented to the City Council regarding the Days of 47 Horse Parade scheduled for Saturday, July 14<sup>th</sup>, at 6:00 p.m. in Sandy. Six of the City Council members indicated that they would like to participate in the parade.

**Bryant Anderson** noted that this would be the second annual Days of 47 Horse Parade held in Sandy.

10. **OTHER COUNCIL BUSINESS**

- a. **Steve Smith** asked Rick Smith what options were available if a green waste program was implemented in the City.

**Rick Smith** reported that West Jordan recently implemented a green waste program in their City. Mr. Smith indicated that the program, thus far, has been a "nightmare", costing the City millions of dollars to operate. He indicated that initial costs for our City to implement a similar program would be in the 3 million dollar range since new trucks and cans would need to be purchased. Green waste is currently hauled to the landfill at no additional expense. Mr. Smith stated that they would like to observe West Jordan's program over the next several years to see how effective the program is prior to making a decision to implement a similar program in our City.

**Chris McCandless** asked the Public Works Department to prepare a summary on green waste to help the Council become better informed on this issue.

- b. **Steve Smith** expressed concern that the 300-foot notice requirement in the Parking Management Plan would not be adequate for events extending beyond the 300-foot notice requirement. He requested further discussion with Staff, Planning Commission, and Council members to consider extending the requirement to properties within 1000 feet of an event.
- c. **Steve Smith** expressed concern regarding the City's current mixed-use zone and the percentage of residential vs. retail in a project. He believes that a certain percentage of retail should be developed along with the residential portion of a project. The mixed-use zone allows for higher density housing based on the retail/ commercial/ office component of a project. In many instances, the retail portion of the project is neither developed nor completed until after the

residential portion has been built. He does not believe the way the current ordinance is written complies with the City's vision for mixed-use projects; neither does it provide the opportunity for the City to enforce the building of the retail portion of a development. Mr. Smith requested that discussions be held to consider implementing a provision in the mixed use zone to mirror the proportion of residential with retail in a development.

- d. **Steve Fairbanks** reported that the Utah League of Cities would be celebrating their 100<sup>th</sup> Anniversary at the Annual Convention, September 12<sup>th</sup> –14<sup>th</sup>, in Salt Lake City. There will be a special presentation honoring the Citizen of the Century. It is anticipated to be a well-attended event. He encouraged the Council to make reservations early.
- e. **Linda Saville** reported that several residents expressed concern over speeding in residential neighborhoods, absentee landlords, and access into the new Lowe's Shopping Center. Mrs. Saville asked Wally Miller if absentee landlords could be fined for not taking care of their properties.

**Wally Miller** reported that there are provisions in the ordinance to hold landlords accountable. The City Council appropriated funding [\$500,000] that could be used to purchase dilapidated rental homes in the City. He indicated that the Administration is looking into licensing requirements for rental properties, which could provide a wide range of possibilities in holding landlords accountable for their properties.

**Mike Coulam** reported that Code Compliance Officers work on locating out of State landlords.

**Devon Glenhill**, 8150 South 1060 East, participant in the audience, indicated that there are several rental homes in his neighborhood, and asked how citizens could become involved.

**Linda Martinez Saville** reported that members of their Neighborhood Watch Program approach occupants of rental homes, and present a time line of when their yard and home should be cleaned up. If they fail to meet the deadline, a call is then placed to the landlord to address the concern. If there does not produce results, the concern is directed to the Code Compliance Department.

**Wally Miller** indicated that if residents believe approaching the neighbors may cause a problem, they could contact the City to handle the problem.

**Dennis Tenney** invited Mr. Glenhill to contact him, since he lives in Mr. Tenney's District, and he would also help address any concerns the residents may have regarding rental homes.

**Bryant Anderson** reported that a group of individuals in his neighborhood worked together to assist with the clean up of a home in their neighborhood. Mr. Anderson stated that "this proved to be very successful not only for those who helped, but for the property owner as well".

- f. **Chris McCandless** expressed appreciation to the Sandy City Fire Department for their assistance in helping contain the Little Willow Fire. He stated "they did a spectacular job in getting it under control, and protecting residents' homes." This is a very pristine area where some of the trunks of the old oak trees are 36 inches in diameter.
- g. **Chris McCandless** informed the Council that the 2007 National Summit on "Your City's Families" is scheduled for September 30 – October 2, 2007, in San Antonio, Texas. Mr. McCandless felt it would be worthwhile for the Mayor and Council to attend the conference then travel to Piedras Negras since it is a short distance from San Antonio. He felt this would be a good opportunity to discuss future projects, including the Sandy City Rotary Club's proposal to build a Children's Hospital. Mr. McCandless presented the brochure to Mr. Glenn.
- h. **Chris McCandless** recommended that a graduated parking notice, based on the number of vehicles parking at an event, be considered as an option for the Parking Management Plan.

- i. **Chris McCandless**, along with **Steve Fairbanks** presented a proposal for the Administration's consideration to establish a housing plan where dilapidated homes could be purchased then sold to City employees [Sandy City Police Officers]. Funding for the program would come from EDA haircut provisions, with the City lending 5% of the cost of the home to the employee as a down payment, which would then be forgiven if the employee remains employed with the City for a three-year period. He indicated that if the Council favored this concept, a formal proposal could be bought back for further consideration within the next few weeks.

**Bryant Anderson** asked Mr. McCandless and Mr. Fairbanks to bring their proposal back for Council consideration at the August 14<sup>th</sup> City Council Meeting.

At approximately **7:50 p.m.**, **Dennis Tenney** made a motion to adjourn Council Meeting, motion seconded by **Linda Martinez Saville**.

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Bryant Anderson**  
**Council Chairman**

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**Pam Lehman**  
**Council Office Manager**